UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,505	12/19/2001	Cindy Kirk	12487-US	8521

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MARKS & CLERK		SHAW, PELING ANDY
P.O. BOX 957		

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2144	

MARKS & CLERK
P.O. BOX 957
STATION B
OTTAWA, ON K1P 5S7
CANADA

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/021,505	KIRK, CINDY
	Examiner	Art Unit	
	Peling A. Shaw	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _08 December 2004_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-12_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-12_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _19 December 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _12/08/04_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Priority

1.   This application has no priority claim made. The effective filing date is 12/19/2001.

Specification Objections

2.   The disclosure is objected to because of the following informalities:

   a.   Page 12, line 5, "... data link 162 ..." should be "... data link 160 ..." as in Fig. 5.

Appropriate correction is required.

3.   The lengthy specification has not been checked to the extent necessary to determine the

presence of all possible minor errors. Applicant's cooperation is requested in correcting any

errors of which applicant may become aware in the specification.

Claim Objections

4.   Claims 6 and 12 are objected to because of the following informalities:

   a.   It is not cleared what are these "two corresponding view windows" either from the

      depending claims or the specification.

Appropriate clarification is required.

Claim Rejections – 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Engel, et al., (U.S.

Patent Number 6,115,393), hereinafter referred as Engel.

a.   Regarding claim 1, Engel disclosed a network management system comprising:

network management logic (column 1, line 19-20: monitoring and managing

communication networks for computer); a human-machine interface (column 25, line

41-47: contain all the data necessary to build the screen); at least two view panes

displayed on the human-machine interface, a first view pane displaying

representations of OSI Layer 3 entities (column 26, line 22-29: layers of the

hierarchy; Fig. 19: Network), a second view pane displaying representations of OSI

Layer 2 entities (column 26, line 22-29: LAN; Fig. 19: Data Link), the OSI Layer 3

entities being provisioned over the OSI Layer 2 entities wherein the combination of

the displayed information in the at least two view panes provides for presentation of

OSI Layer 2 entities corresponding to selected OSI Layer 3 entities (column 25, line

41-47: MIB is used on objects, e.g. IP segments; column 26, line 22-29: SNM and network objects; Fig. 19: Network layer is on top of Data Link).

b. Regarding claim 2, Engel disclosed a network management system as claimed in claim 1, wherein the network management system is further adapted to query a managed object database storing connectivity information regarding field installed data transport equipment (column 2, line 42-62: current state; column 25, line 41-47: request IP statistics; column 26, line 22-29: workstation determines the topology of the network, informs its user of the network objects and their connectivity).

c. Regarding claim 3, Engel disclosed a network management system as claimed in claim 2, wherein querying the managed object database, the network management system is further adapted to extract layer-by-layer connectivity information regarding Layer-3 entity representations selected in the first view pane for display in the second view pane (column 2: line 42-62: current state is maintained for each dialog that could be searched; column 25, line 41-47: user requests the IP statistics for a segment; column 26, line 22-29: workstation determines the topology of the network, informs its user of the network objects and their connectivity; Fig. 18: Summary Tool, Fig. 19: Protocol Tree).

d. Regarding claim 4, Engel disclosed a network management system as claimed in claim 1, wherein the network management system is further adapted to inspect a containment hierarchy of instantiated manageable entity objects modeling field installed data transport equipment specifying connectivity information (column 26, line 22-29: workstation determines the topology of the network, informs its user of

the network objects and their connectivity; Fig. 18: Summary Tool, Fig. 19: Protocol

Tree).

e. Regarding claim 5, Engel disclosed a network management system as claimed in

claim 4, wherein inspecting the containment hierarchy of instantiated managed entity

objects, the network management system is further adapted to extract layer-by-layer

connectivity information regarding Layer-3 entity representations selected in the first

view pane (column 2, line 42-62: the current state is maintained for each dialog and

identified initiator; column 25, line 41-47: SNMP MIB is used for a user request;

column 26, line 22-29: a hierarchy network is supported with navigation through the

layers of the hierarchy, as provided by SNM, the workstation determines the topology

of the network, informs its user of the network objects and their connectivity; Fig. 18:

Summary Tool, Fig. 19: Protocol Tree).

f. Regarding claim 6, Engel disclosed a network management system as claimed in

claim 1, wherein the first and second view panes are further associated with a one of a

segmented view window and two corresponding view windows (column 25, line 41-

47: the user requests the IP statistics for an IP segment; column 26, line 22-29: a

hierarchy network is supported with navigation through the layers of the hierarchy, as

provided by SNM, the Management Workstation determines the topology of the

network and informs the user of the network objects and their connectivity; Fig. 18:

Summary Tool, Fig. 19: Protocol Tree).

g. Regarding claim 7, Engel disclosed a network management software application

comprising: network management logic (column 1, line 19-20: monitoring and

managing communication networks for computer); a human-machine interface for

display of connectivity information (column 25, line 41-47: contain all the data

necessary to build the screen); at least two view panes displayable via the human-

machine interface, a first view pane displaying representations of OSI Layer 3 entities

(column 26, line 22-29: layers of the hierarchy; Fig. 19: Network), a second view

pane displaying representations of OSI Layer 2 entities (column 26, line 22-29: LAN;

Fig. 19: Data Link), the OSI Layer 3 entities being provisioned over the OSI Layer 2

entities wherein the combination of the displayed information in the at least two view

panes provides for presentation of OSI Layer 2 entities corresponding to selected OSI

Layer 3 entities (column 25, line 41-47: MIB is used on objects, e.g. IP segments;

column 26, line 22-29: SNM and network objects; Fig. 19: Network layer is on top of

Data Link).

h. Regarding claim 8, Engel disclosed a network management software application as

claimed in claim 1, wherein the network management software application is further

adapted to query a managed object database storing connectivity information

regarding field installed data transport equipment (column 2, line 42-62: current state;

column 25, line 41-47: request IP statistics; column 26, line 22-29: workstation

determines the topology of the network, informs its user of the network objects and

their connectivity).

i. Regarding claim 9, Engel disclosed a network management system as claimed in

claim 8, wherein querying the managed object database, the network management

software application is further adapted to extract layer-by-layer connectivity

information regarding Layer-3 entity representations selected in the first view pane

for display in the second view pane (column 2: line 42-62: current state is maintained

for each dialog that could be searched; column 25, line 41-47: user requests the IP

statistics for a segment; column 26, line 22-29: workstation determines the topology

of the network, informs its user of the network objects and their connectivity; Fig. 18:

Summary Tool, Fig. 19: Protocol Tree).

j. Regarding claim 10, Engel disclosed a network management software application as

claimed in claim 7, wherein the network management software application is further

adapted to inspect a containment hierarchy of instantiated manageable entity objects

modeling field installed data transport equipment specifying connectivity information

(column 26, line 22-29: workstation determines the topology of the network, informs

its user of the network objects and their connectivity; Fig. 18: Summary Tool, Fig.

19: Protocol Tree).

k. Regarding claim 11, Engel disclosed a network management software application as

claimed in claim 10, wherein inspecting the containment hierarchy of instantiated

manageable entity objects, the network management software application is further

adapted to extract layer-by-layer connectivity information regarding Layer-3 entity

representations selected in the first view pane (column 2, line 42-62: the current state

is maintained for each dialog and identified initiator; column 25, line 41-47: SNMP

MIB is used for a user request; column 26, line 22-29: a hierarchy network is

supported with navigation through the layers of the hierarchy, as provided by SNM,

the workstation determines the topology of the network, informs its user of the

network objects and their connectivity; Fig. 18: Summary Tool, Fig. 19: Protocol

Tree).

l.   Regarding claim 12, Engel disclosed a network management software application as

claimed in claim 7, wherein the first and second view panes are further associated

with a one of a segmented view window and two corresponding view windows

(column 25, line 41-47: the user requests the IP statistics for an IP segment; column

26, line 22-29: a hierarchy network is supported with navigation through the layers of

the hierarchy, as provided by SNM, the Management Workstation determines the

topology of the network and informs the user of the network objects and their

connectivity; Fig. 18: Summary Tool, Fig. 19: Protocol Tree).

Engel disclosed all limitations of claims 1-12. Claims 1-12 are rejected under 35 U.S.C.

102(b).

6.   Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Dev, et al., (U.S.

Patent Number 6,374,293), hereinafter referred as Dev.

   a.   Regarding claim 1, Dev disclosed a network management system comprising:

        network management logic (column 1, line 14-17: monitoring and managing

        communication networks for computer); a human-machine interface (column 12: line

        10-12: The display screen utilizes a high resolution, window-based display system to

        provide different views or displays of the network configuration and operation); at

        least two view panes displayed on the human-machine interface, a first view pane

        displaying representations of OSI Layer 3 entities (column 12, line 57-62: network

        interconnection), a second view pane displaying representations of OSI Layer 2

        entities (column 12, line 57-62: connections between network elements), the OSI

        Layer 3 entities being provisioned over the OSI Layer 2 entities wherein the

        combination of the displayed information in the at least two view panes provides for

        presentation of OSI Layer 2 entities corresponding to selected OSI Layer 3 entities

        (column 12, line 10-12: to provide different views or displays of the network

        configuration and operation; column 13, line 8-11: The user can traverse between

        location and topological views to obtain any necessary information regarding the

        configuration of the network).

   b.   Regarding claim 2, Dev disclosed a network management system as claimed in claim

        1, wherein the network management system is further adapted to query a managed

        object database storing connectivity information regarding field installed data

        transport equipment (column 13, line 39-44: When attribute data within the virtual

network machine model changes, the appropriate icon manager is notified of the

change and modifies the icon appearance to reflect the new state, the new statistics or

appropriate error conditions.).

c. Regarding claim 3, Dev disclosed a network management system as claimed in claim

2, wherein querying the managed object database, the network management system is

further adapted to extract layer-by-layer connectivity information regarding Layer-3

entity representations selected in the first view pane for display in the second view

pane (column 13, line 39-44: When attribute data within the virtual network machine

model changes, the appropriate icon manager is notified of the change and modifies

the icon appearance to reflect the new state, the new statistics or appropriate error

conditions.).

d. Regarding claim 4, Dev disclosed a network management system as claimed in claim

1, wherein the network management system is further adapted to inspect a

containment hierarchy of instantiated manageable entity objects modeling field

installed data transport equipment specifying connectivity information (column 12,

line 57-62: In the topological views, a similar hierarchy is utilized, and the

connections between network elements are shown. At the highest level, network

interconnections at a worldwide or national level are shown. At each lower level,

more detailed views, such as local area networks and subnetworks, are shown.).

e. Regarding claim 5, Dev disclosed a network management system as claimed in claim

4, wherein inspecting the containment hierarchy of instantiated managed entity

objects, the network management system is further adapted to extract layer-by-layer

connectivity information regarding Layer-3 entity representations selected in the first view pane (column 13, line 16-20: user can select on pull-down menu the next lower level in the hierarchy of views).

f. Regarding claim 6, Dev disclosed a network management system as claimed in claim 1, wherein the first and second view panes are further associated with a one of a segmented view window and two corresponding view windows (column 12, line 22-31: By clicking on specified elements of a view, the user can obtain a view of the next lower level in the hierarchy; column 13, line 3-6, Fig. 8b: multifunction icons 340, 342,344).

g. Regarding claim 7, Dev disclosed a network management software application comprising: network management logic (column 2, line 40-49: software applications being executed on the network devices or any other network entity); a human-machine interface for display of connectivity information (column 12: line 10-12: The display screen utilizes a high resolution, window-based display system to provide different views or displays of the network configuration and operation); at least two view panes displayable via the human-machine interface, a first view pane displaying representations of OSI Layer 3 entities (column 26, line 22-29: layers of the hierarchy; Fig. 19: Network), a second view pane displaying representations of OSI Layer 2 entities (column 26, line 22-29: LAN; Fig. 19: Data Link), the OSI Layer 3 entities being provisioned over the OSI Layer 2 entities wherein the combination of the displayed information in the at least two view panes provides for presentation of OSI Layer 2 entities corresponding to selected OSI Layer 3 entities (column 12, line

10-12: to provide different views or displays of the network configuration and

operation; column 13, line 8-11: The user can traverse between location and

topological views to obtain any necessary information regarding the configuration of

the network).

h. Regarding claim 8, Dev disclosed a network management software application as

claimed in claim 1, wherein the network management software application is further

adapted to query a managed object database storing connectivity information

regarding field installed data transport equipment (column 13, line 39-44: When

attribute data within the virtual network machine model changes, the appropriate icon

manager is notified of the change and modifies the icon appearance to reflect the new

state, the new statistics or appropriate error conditions.).

i. Regarding claim 9, Dev disclosed a network management system as claimed in claim

8, wherein querying the managed object database, the network management software

application is further adapted to extract layer-by-layer connectivity information

regarding Layer-3 entity representations selected in the first view pane for display in

the second view pane (column 13, line 39-44: When attribute data within the virtual

network machine model changes, the appropriate icon manager is notified of the

change and modifies the icon appearance to reflect the new state, the new statistics or

appropriate error conditions.).

j. Regarding claim 10, Dev disclosed a network management software application as

claimed in claim 7, wherein the network management software application is further

adapted to inspect a containment hierarchy of instantiated manageable entity objects

modeling field installed data transport equipment specifying connectivity information

(column 12, line 57-62: In the topological views, a similar hierarchy is utilized, and

the connections between network elements are shown. At the highest level, network

interconnections at a worldwide or national level are shown. At each lower level,

more detailed views, such as local area networks and subnetworks, are shown.).

k. Regarding claim 11, Dev disclosed a network management software application as

claimed in claim 10, wherein inspecting the containment hierarchy of instantiated

manageable entity objects, the network management software application is further

adapted to extract layer-by-layer connectivity information regarding Layer-3 entity

representations selected in the first view pane (column 13, line 16-20: user can select

on pull-down menu the next lower level in the hierarchy of views).

l. Regarding claim 12, Dev disclosed a network management software application as

claimed in claim 7, wherein the first and second view panes are further associated

with a one of a segmented view window and two corresponding view windows

(column 12, line 22-31: By clicking on specified elements of a view, the user can

obtain a view of the next lower level in the hierarchy; column 13, line 3-6, Fig. 8b:

multifunction icons 340, 342,344).

Dev disclosed all limitations of claims 1-12. Claims 1-12 are rejected under 35 U.S.C.

102(e).

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The

examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William A. Cuchlinski can be reached on (571) 272-3925. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the statu9s of an application may be obtained from the Patent

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WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800